

REMARKS

Reconsideration and allowance of the instant application are respectfully requested. By this Amendment, claims 11, 20-22, 42 and 45 have been amended. Claims 11, 20, and 42 were amended to correct punctuation errors, claims 21 and 22 were amended to correct dependency, and independent claim 45 has been amended to clarify the invention recited. The specification and drawings have been amended to provide consistent reference to the elements illustrated in Figure 2. No new matter is added by this amendment.

Proposed Drawing Changes

As recited in the attached Request For Approval of Proposed Drawing Changes and Submission of Corrected Formal Drawings, Applicant has proposed the addition of reference numbers to Figure 2 to match those used in the description of that figure as provided in the specification. Consistent with the description of figure 2, reference number 201 describes the style templates (written description at pages 12-13), the source files are identified using reference number 210 and the final page layout is identified using reference number 220 (written description at page 11, lines 7-8). Accordingly, no new matter has been added to the figure by this amendment.

Amendment to the Specification

The amendments to the specification correct inconsistent references to the style templates. At page 11, line 7, and page 13, line 17, of the original specification, the style templates had been identified using reference number 200. In a detailed description of those templates (written

description at pages 12-13 of the specification), the style templates had been identified using reference numbers 201a-g. The written description at page 11, line 7, and page 13, line 17, has been amended to provide consistent use of references numerals for identifying the style templates. Similarly, reference to the horizontal “regions” occupied by the templates using reference number 201, at page 11, lines 14 and 19, has been deleted to avoid confusion. Accordingly, no new matter has been added to the written description by this amendment.

Response to the Office Action

In the Office Action, claims 11, 20, 42 were objected to as informal and claims 21-22 were rejected under 35 U.S.C. § 112, second paragraph. Claims 1-61 were rejected as being unpatentable under 35 U.S.C. § 103(a) over U.S. Patent No. 5,937,418 (“Ferris”). Amendments to claims 11, 20-22 and 42 have been made to overcome the objection and rejection of the claims on informal grounds. Applicant respectfully traverses the rejection of claims 1-61 as being unpatentable under 35 U.S.C. § 103(a) over Ferris.

I. A Prima Facie Case of Obviousness Has Not Been Established

A. Ferris Does Not Teach Or Render Obvious the Feature of “Uploading of a Finished Web Page to a Server”

As originally filed, independent claims 1, 17, 23, 39 provide for “generating a hypertext markup language (HTML) page” by “selecting a style template for a predetermined region of the web page layout” and “uploading of a finished web page layout to a server,” as provided in claim 1, for example. As the language found in each of the claims requires, a finished web page layout is uploaded to the server.

While the invention is not limited to the illustrative embodiments described in the specification, in one illustrative embodiment (at page 11, lines 10-12) the web page may be created on a client device having limited memory and display area. In another illustrative embodiment of the invention, the finished page layout is uploaded to a server from such devices as a remote computer 109. (See written description at page 13, lines 4-5.) In other illustrative embodiments, the page layout may be created on a small consumer electronic device, a PC, workstation, or other graphical user interface computing environments. (See written description at page 13, lines 11-16.) In each case, regardless of the actual device performing the function, the data is transmitted to a server.

Applicant submits that Ferris fails to teach, among other features, “uploading a finished web page layout to a server.” Ferris discloses the generation of information on a server. Column 2, lines 41-67. Specifically, “server 16 includes a parser/HTML converter 18, which creates an HTML document base 20 from the communications received by the wire copy receiver,” which is used by web presenter 24 and uses templates 26 to present the information to the browsers 28. Column 2, lines 59-67. As noted, the information is processed by the server for transmission to a user upon request by the user. Column 5, lines 41-45 and column 5, line 60 through column 6, line 2. Thus,

Ferris fails to teach or suggest uploading of the finished web page layout to the server, as provided in the originally filed independent claims 1, 17, 23, 39.

Applicant further submits that one of ordinary skill in the art would not have been motivated to combine the teachings of Ferris in the manner recited in the Office Action. Reading Ferris alone, one of ordinary skill in the art would not have been motivated to modify Ferris to generate finished web pages on devices other than on the server because Ferris discloses generating finished web pages on servers only.

Similarly, the remaining originally filed independent claim, claim 45, recited a method for “generating a hypertext markup language (HTML) page.” By this amendment claim 45 has been amended to recite, “generating a hypertext markup language (HTML) page for transmission of the finished markup language page to a server.” For the reasons provided, amended claim 45 is neither taught nor suggested by the disclosure of Ferris.

Thus, Ferris does not teach nor render obvious every limitation found in independent claims 1, 17, 23, 39, 45 or the claims depending therefrom.

B. The Office Action Fails to Establish That Each Feature Claimed Is Taught by the Prior Art of Record or a Motivation Exists to Modify the Reference

The Office Action asserts that Ferris teaches certain features found in claim 1, but acknowledges that Ferris fails to disclose “selecting a style template for a predetermined region of a web page layout, the selected template including at least one HTML code defining a style of the style

template.” The Office Action further asserts that, “It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Ferris to include selecting [a] style template for a predetermined region of a web page layout, the selected style template including at least one HTML code defining a style of the style template because ...[t]he title is considered as a predetermined region of the web page layout since it was well known that a title was in the top region of a web page[and t]he fact that the template, a style sheet written, for instance, in HTML, into which documents or data files are inserted for a stylized presentation by the presenter (col 5, lines 46-50) shows that the template includes at least one HTML code for defining the style of the template.” (Emphasis omitted).

Applicant respectfully traverses the basis for the rejection of claims 1-61 as obvious over Ferris. In addition to other deficiencies, the Office Action fails to cite to a reference, or combination of references, disclosing features of the claims that the Office Action acknowledges are missing from Ferris.

First, the Office Action acknowledges, at a minimum, that certain limitations of the claims are not taught by Ferris. As noted, the Office Action acknowledges that Ferris fails to disclose “selecting a style template for a predetermined region of a web page layout, the selected template including at least one HTML code defining a style of the style template.” Nevertheless, the Office Action fails to point to a single document disclosing the missing features. Accordingly, the Office Action fails to provide support in the prior art sufficient to make out a *prima facie* case of obviousness.

Second, the Office Action fails to provide documentation in support for what the Office Action alleges was well known. For example, as the basis for the rejection of claim 1 the Office Action states: “it was well known that a title was in the top region of a web page.” No reference cited in the Office Action supports the position taken in the Office Action that titles found in web pages are known to always be positioned in one location.

Third, the Office Action proposes that known placement of the title at the top of every web page suggests “selection” of a style for a predetermined region. This modification of Ferris is fundamentally flawed. Assuming, *arguendo*, it was known to fix the title of every web page at the top of the web page for each web page generated, that fact would not support “selection” of a style from multiple styles as required by the claims. To the contrary, fixing the format of titles to the top of every web page created using the system of Ferris would create web pages for which the “title” region was always in one location (the top). Indeed, claim 1 requires “Selecting a style template for a predetermined region of a web page” and nothing disclosed in the reference suggests such selection. According to the Office Action’s interpretation of what is known, that a title is a predetermined region of the web page and it is known to be located as the top region of the web page, the combination of Ferris would not include this flexibility. In the proposed combination, no selection would occur with respect to the style corresponding to the predetermined (top) region; that predetermined (top) region will always be formatting for the insertion of titles. For this additional reason, the Office Actions fails to provide a *prima facie* case of obviousness.

Fourth, the Office Action fails to provide a citation to prior art of record in support for the position that “the template includes at least one HTML code for defining the style of the template.”

The Office Action contends that, “The fact that the template, a style sheet written, for instance, in HTML, into which documents or data files are inserted for a stylized presentation by the presenter (col. 5, lines 46-50) shows that the template includes at least one HTML code for defining the style of the template.” (Emphasis omitted). The Office Action makes this assertion in the complete absence of support. Claim 1 requires that the “selected style template [include] at least one code defining a style of the style template.” Nothing in Ferris describes a “style template for a predetermined region” to include “at least one code defining a style of the style template.” Indeed, Ferris is completely silent with regard to codes for defining a style of a style template, and nothing in the reference suggests (much less renders inherent) the use of at least one HTML code for such purposes.

Finally, even assuming each element of the claim was taught by the prior art, the Office Action fails to articulate a motivation that would have prompted one of ordinary skill in the art at the time of the invention to combine the teachings of the prior art to arrive at the invention claimed. Assuming Ferris discloses the features claimed, which it does not, nothing in Ferris provides a motivation to modify a “style template for a predetermined region” to include “at least one code defining a style of the style template.” The Office Action fails to provide a citation to the record at which support for any such suggestions can be found. For these reasons, the Office Action fails to make out a *prima facie* case of obviousness with respect to claim 1.

Claims 1, 17, 23, 39, and 45, in various forms, each require “selecting a style template for a predetermined region of a web page layout,” as recited in claim 1, for example. Claims 1, 17, 23, 39, and 45, in various forms, each recite that the “style template include[es] at least one HTML code

defining a style of the style template.” The Office Action acknowledges that Ferris fails to disclose selecting a style template for a predetermined region or that each selected style template includes at least one HTML code defining a style template. Nevertheless, in a manner similar to the rejection of claim 1, the Office Action asserts that independent claims 1, 17, 23, 39, and 45 are each obvious over Ferris. For the reasons provided with respect to claim 1, Ferris does not render claims 1, 17, 23, 39 or 45 obvious.

The Office Action similarly asserts that claims 2-16, 18-22, 24-38, 40-44 and 46- 61, are obvious over Ferris alone. Because Ferris neither teaches nor suggests the inventions claimed in independent claims 1, 17, 23, 39, 45, or dependent claims 2-16, 18-22, 24-38, 40-44 and 46- 61 may not be found obvious over Ferris.

The Office Action fails to establish a *prima facie* case of obviousness with respect to the dependent claims. With respect to each of the dependent claims, the Office Action acknowledges that features recited in those claims are not found in Ferris. Because the Office Action fails to provide a citation to prior art disclosing the missing features, and fails to provide support for a suggestion in the prior art for modifying the teachings of Ferris, the Office Action fails to establish a *prima facie* case of obviousness for each of the dependent claims.

For example, with respect to claim 2, the Office Action acknowledges that “Ferris does not disclose that the predetermined region of the web page layout is a horizontal region spanning an entire width of the web page layout.” The Office Action states that such would have been obvious “since it was well known in the art that any title (as mentioned in claim 1) takes a horizontal space.” The Office Action further concludes that modifying Ferris to include the feature of “spanning the

title the entire width of the web page layout since it was well known in the art that enlarging the title to some degree can make it take the entire width of the web page layout.”

Such assertions, however, do not establish a *prima facie* case of obviousness. No motivation to modify Ferris can reasonably be gleaned from the statements provided. Moreover, no art has been cited to support those contentions. Similarly conclusory statements were asserted in the rejections of the remaining claims, and are traversed as lacking support in the prior art.

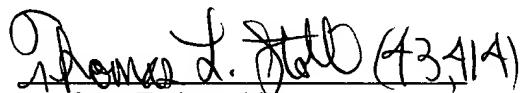
To summarize, the Office Action acknowledges that features in each of the dependent claims are not found in Ferris, but finds those features both known in the art and obvious, without support in the record. Accordingly, Applicant maintains that the Office Action fails to articulate a *prima facie* case of obviousness and that the rejection of each claim as obvious over Ferris is, therefore, improper and must be withdrawn.

Conclusion

As demonstrated above, Ferris does not render claims 1-61 obvious. Furthermore, the Office Action fails to establish a prima facie case of obviousness of claims 1-61. Thus, it is believed that the present application is in condition for immediate allowance, and notification of the same is respectfully requested. Should the Examiner have any questions or believe that an interview would expedite allowance, he is invited to telephone the undersigned at the number listed below.

Respectfully submitted,

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MARKED-UP VERSION OF AMENDED SPECIFICATION

Please make changes to as follows:

IN THE SPECIFICATION:

Please amend the paragraph starting at page 11, line 5, with the following:

--FIGURE 2 shows the constituent components forming an exemplary HTML page layout that is generated according to the present invention. Specifically, FIGURE 2 shows an exemplary arrangement of style templates 200201a-201g corresponding to template files identified as Title, Centered Picture, Picture w/rt text, Picture w/left text, Audio, and Navigational links, as illustrated in Figure 2, and associated source files 210 that have been selected to generate a final page layout 220. While the present invention is not as flexible as current approaches, the present invention provides a much simpler technique for creating a web page. Consequently, a client device on which an HTML page is created can have limited memory and display area, such as that available with a small consumer electronic device.--

Please amend the paragraph starting at page 11, line 13, with the following:

--According to the present invention, a page layout is divided into rows, or horizontal regions, 201 that span the entire width of the page. A particular region 201 is laid out by a user selecting a style template from a library of predetermined style templates. Exemplary style templates include templates for titles, audio, pictures, parallel column and navigational bars. Each template includes HTML codes for the particular style of the template and blank spaces for information, such

as text or picture. The horizontal regions 201 forming a page layout can be stacked in any order to create a customized web page. Macro templates can be defined for a page for repeated use. When the finished page layout is uploaded to a server, the source files for information added to each template is mapped to the templates.--

Please amend the paragraph starting at page 13, line 4, with the following:

--Once a user is satisfied with a page layout, an upload command is selected and the finished page layout is uploaded to a server (remote computer 109 in FIGURE 1). The source files associated with each template is mapped to the templates at the server. FIGURE 2 shows the resulting page layout 220 for the exemplary arrangement of style templates 200201 and associated source files 210.--

IN THE CLAIMS:

Please amend the following claims:

11. (Amended) The method according to claim 8, wherein the file contains audio information.

20. (Amended) The method according to claim 19, wherein the information related to the style of the template is one of a title, text, a pointer to a file containing image information, a pointer to a file containing graphical information, a pointer to a file containing audio information, and hypertext link information.

21. (Amended) The method according to claim 1617, wherein the macro style template includes a style template that is one of a title template, a text template, an audio template, a picture template, a parallel column template and a navigational bar template.

22. (Amended) The method according to claim 1617, wherein the step of selecting the macrostyle template includes a step of selecting a graphical icon representing the macro style template.

42. (Amended) The computer-readable medium according to claim 41, wherein the information related to the style of the template is one of a title, text, a pointer to a file containing image information, a pointer to a file containing graphical information, a pointer to a file containing audio information, and hypertext link information.

45. (Amended) In a computer system having a graphical user interface including a display and a user interface selection device, a method for providing and selecting items for generating a hypertext markup language (HTML) page for transmission of the finished markup language page to a server, the method comprising steps of:

displaying a plurality of style templates on a display, each style template representing a layout style for a predetermined region of a web page layout;

receiving a style template selection signal indicative of a user interface selection device pointing at a selected style template on the display, the selected style template associated with at least one HTML code defining a style of the style template; and

displaying the style layout for the predetermined region of the web page layout in response to the received style template selection signal.